

PERS 79-6998

12 DEC 1979

DD/A Registry

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Executive Registry

79-2868

MEMORANDUM FOR: Deputy Director of Central Intelligence
THROUGH : Deputy Director for Administration
FROM : Harry E. Fitzwater
Director of Personnel
SUBJECT : Exclusion of SIS Members from Premium
Pay Entitlement

DON I. WORTMAN
13 DEC 1979

1. Action Requested: That you approve the recommendation contained in paragraph 4.

2. Background: The Civil Service Reform Act of 1978 excludes Senior Executive Service (SES) members from the premium pay provisions applicable to other Federal employees under Title 5, USC. These provisions include overtime, Sunday and holiday pay and night differential. CIA regulation [REDACTED] limits these forms of premium pay (including compensatory time) to those employees whose basic salary for the pay period does not equal or exceed the maximum scheduled rate of a GS-15. In the past there have been isolated situations where our senior officers have received premium pay resulting from unique Agency work situations, e.g., premium pay in lieu of overtime during certain extended periods in Vietnam and Laos. The attached listing reflects SIS members currently receiving or entitled to a form of premium pay. The current pay structure under existing Agency regulation would permit an SIS-1 and SIS-2 officer to receive premium pay.

3. Staff Position: The benefits associated with the Senior Intelligence Service (SIS) have, for the most part, followed the SES system and it would seem appropriate to exclude SIS members from the forms of premium pay discussed above. Where it is determined, however, that an exception is justified based on work requirements peculiar to the Agency, an appropriate form of premium compensation could be permitted for SIS personnel.

4. Recommendation: It is recommended that SIS members be excluded from premium pay entitlements, specifically: overtime, holiday and Sunday pay and night differential. This exclusion would not apply where an SIS member is required to perform duties unique to the Agency, i.e. crisis situations resulting in extended overtime hours. It is recommended that premium pay of this nature continue and be approved on a case-by-case basis by the Director of Personnel.

Harry E. Fitzwater

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Att: As Stated

APPROVED:

/s/ Frank C. Carlucci

Deputy Director of Central Intelligence

DISAPPROVED:

Deputy Director of Central Intelligence

DATE: 15 DEC 1979

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12/10/79